



EMBASSY OF THE REPUBLIC OF THE MARSHALL ISLANDS

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6/11/97

May 20, 1997

The Honorable Federico Pena
Secretary of Energy
U.S. Department of Energy
1000 Independence Ave., S.W.
Washington, D.C. 20585

Dear Secretary Pena:

On behalf of the Government of the Republic of the Marshall Islands ("RMI"), I want to congratulate you on assuming your duties as Secretary of Energy. The RMI Government looks forward to working closely with you, and continuing to build on the positive working relationship established with the Department of Energy ("DOE") under former Secretary Hazel O'Leary. Through her "openness initiative," Secretary O'Leary moved DOE's relationship with the RMI Government from one marked by the Cold War mentality of secrets to one where our governments can work openly and cooperatively to resolve long-term problems resulting from the U.S. Nuclear Weapons Testing Program conducted in the Marshall Islands from 1946-1958.

I am confident that both the RMI and the U.S. will continue to benefit from collaboration on issues related to the U.S. Nuclear Weapons Testing Program. For example, I think it would be in both of our nations' interests to find a way to store and clean-up safely the radioactive debris which is currently held in temporary concrete structures on Enewetak and Bikini Atolls, the two ground-zero locations for the U.S. Nuclear Weapons Testing Program. The RMI Government strongly supports your statement to the House of Representatives Committee on Science on May 15, 1997, that environmental clean-up of military facilities will be one of DOE's major priorities under your leadership.

The RMI Government has been extremely pleased by the joint efforts of DOE and the acutely affected communities in the RMI to remove Brookhaven National Laboratory ("BNL") from the Marshall Islands. I am encouraged by DOE's recognition that BNL's RMI-based program is inadequate. The RMI

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— yes or no — just for
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Government is anxious for a high-quality care provider to replace BNL, as BNL has misrepresented the effects of radiation, systematically controlled information, including medical records, and failed to care for its Marshallese patients.

DOE's effort to declassify and release documents pertaining to the testing program Marshall Islands is the single biggest reason for the dramatically improved relations between RMI and DOE. We very much hope to continue to work with you and your staff to understand better the effects of the U.S. Nuclear Weapons Testing Program on the health and the environment of the Marshallese people. Because it is becoming increasingly clear that the cumulative effects of the weapons testing program caused much greater exposure and harm than was known to the Marshall Islands during its negotiations to end the Trusteeship, the RMI Government also wants to work with your agency to assess the consequences of the new information. The RMI Government is particularly concerned about the implications of this new information for the health care needs of the Marshallese people today.

In light of the RMI's commitment to build upon the positive relationship that has developed under the Clinton Administration, I also want to touch on an issue which Congressman Robert Underwood helped bring to your attention: DOE's role in the upcoming publication of a controversial special edition of Health Physics journal. The RMI Government only learned about this special issue, and about DOE's substantial financial support for it after the issue had been sent to the printer. DOE took this action without notifying the RMI even though the entire edition focuses on a subject of critical importance to the RMI. This is wholly inconsistent with the spirit of cooperation which we have both embraced.

The special editor of this Health Physics edition, Dr. Steve Simon, refuses to turn over to the RMI Government the data pertaining to the research which the RMI Government contracted Dr. Simon to undertake in the RMI. Despite our requests to Dr. Simon for the information for which the RMI Government has paid, Dr. Simon has encrypted the database at the radiological laboratory in the Marshall Islands, and has refused to make the data or findings available to us. Furthermore, Dr. Simon is currently involved in contractual and property disputes with the RMI. For these reasons, the RMI Government does not feel that Dr. Simon is an impartial scientist.

As friends and as partners working together to resolve lingering problems associated with the U.S. Nuclear Weapons Testing Program, we are dismayed that DOE did not notify the RMI about the publication, or about



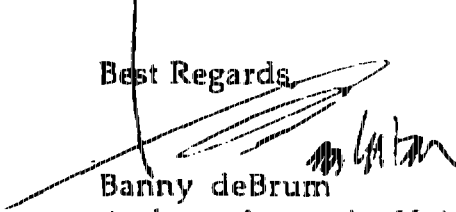
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DOE's funding of, and involvement with the project. Furthermore, because most of the contributors to the special edition are associated with BNL, the RMI Government sees DOE's financial support to the publication (and thereby DOE's imprimatur of legitimacy and credibility) as inconsistent with DOE's acknowledgment of the many problems with BNL's program in the RMI. Moreover, neither the authors nor others responsible for this publication have at any time consulted with the people of the radiation-affected communities, whose bodies and illnesses are the subject of these articles, to obtain consent to publish the results. The RMI Government still does not understand why these exposed populations have for decades been denied access to their medical records and ownership over their own medical information. The RMI Government assumes that the Health Physics journal and any DOE-affiliated contributors would extend to the Marshallese whatever policies apply to U.S. citizens regarding patient privacy and consent to use medical records.

I am hopeful that, in the spirit of cooperation that has marked our relationship for the past several years, the RMI and DOE can resolve this matter regarding the Health Physics special edition to our mutual satisfaction. Whatever steps are taken to cancel or mitigate the controversial elements of the journal's publication will enable us to move on to address issues of larger importance to both DOE and the RMI. Assistant Secretary O'Toole and I have discussed on more than one occasion our shared commitment to continuing to work together on issues of mutual concern.

Next month, the President of the Republic of the Marshall Islands, His Excellency Imata Kabua, and Minister of Foreign Affairs Phillip Muller will be in Washington, D.C. On behalf of President Kabua, I would like to arrange a meeting with you during his trip, if your schedule permits. The delegation would like to discuss issues concerning DOE's programs for the RMI and the critical importance of DOE's policies of transparency, openness and cooperation which allow us to continue on our forward-moving path.

Best Regards



Banny deBrum

Ambassador to the United States



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cc: His Excellency Imata Kabua, President
The Honorable Phillip Muller, RMI Minister of Foreign Affairs and Trade
The Honorable Ataji Balos, Chairman, RMI Committee on Foreign Affairs
and Trade
The Honorable Frank Murkowski, Chairman, Senate Energy and Natural
Resources Committee
The Honorable Dale Bumpers, Ranking Minority, Senate Energy and
Natural Resources Committee
The Honorable Daniel Akaka, Senate Energy and Natural Resources
Committee
The Honorable Ted Stevens, Chairman, Senate Governmental Affairs
Committee
The Honorable John Glenn, Ranking Minority, Senate Governmental
Affairs Committee
The Honorable Don Young, Chairman, House Resources Committee
The Honorable George Miller, Ranking Minority, House Resources
Committee
The Honorable Ben Gilman, Chairman, House International Relations
Committee
The Honorable Doug Bereuter, Chairman, House International Relations
Subcommittee on Asia and the Pacific
The Honorable Eni Faleomavaega, Ranking Minority, House International
Relations Subcommittee on Asia and the Pacific
The Honorable Robert Underwood, House International Relations
Subcommittee on Asia and the Pacific
The Honorable F. James Sensenbrenner, Chairman, House Science
Committee
The Honorable George E. Brown, Jr., Ranking Minority, House Science
Committee
Mr. Kenneth L. Miller, Editor-in-Chief, Health Physics



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MARSHALL ISLANDS

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